



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Eric Leonel Morales,

Defendant.

Case No.: SACR 11-132 JVS-6

ORDER OF DETENTION

I.

A. (X) On motion of the Government in a case allegedly involving:

1. ( ) a crime of violence.
2. ( ) an offense with maximum sentence of life imprisonment or death.
3. (X) a narcotics or controlled substance offense with maximum sentence of ten or more years.
4. ( ) any felony - where defendant convicted of two or more prior offenses described above.
5. ( ) any felony that is not otherwise a crime of violence that involves a minor victim, or possession or use of a firearm or destructive device or any other dangerous weapon, or a failure to register under 18 U.S.C. § 2250.

- 1 B. (X) On motion by the Government/( ) on Court's own motion, in a case  
2 allegedly involving:  
3 (X) On the further allegation by the Government of:  
4 1. (X) a serious risk that the defendant will flee.  
5 2. ( ) a serious risk that the defendant will:  
6 a. ( ) obstruct or attempt to obstruct justice.  
7 b. ( ) threaten, injure or intimidate a prospective witness or  
8 juror, or attempt to do so.  
9 C. The Government ( ) is/(X) is not entitled to a rebuttable presumption that no  
10 condition or combination of conditions will reasonably assure the defendant's  
11 appearance as required and the safety of any person or the community.  
12

13 **II.**

- 14 A. (X) The Court finds that no condition or combination of conditions will  
15 reasonably assure:  
16 1. (X) the appearance of the defendant as required.  
17 (X) and/or  
18 2. (X) the safety of any person or the community.  
19 B. ( ) The Court finds that the defendant has not rebutted by sufficient evidence  
20 to the contrary the presumption provided by statute.  
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22 **III.**

23 The Court has considered:

- 24 A. (X) the nature and circumstances of the offense(s) charged, including whether  
25 the offense is a crime of violence, a Federal crime of terrorism, or involves  
26 a minor victim or a controlled substance, firearm, explosive, or destructive  
27 device;  
28 B. (X) the weight of evidence against the defendant;

- 1 C. ☒ the history and characteristics of the defendant; and  
2 D. ☒ the nature and seriousness of the danger to any person or the community.  
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4 **IV.**

5 The Court also has considered all the evidence adduced at the hearing and the  
6 arguments and/or statements of counsel, and the Pretrial Services  
7 Report/recommendation.  
8

9 **V.**

10 The Court bases the foregoing finding(s) on the following:

- 11 A. ☒ As to flight risk: Defendant's current custodial status, lack of bail  
12 resources, and his submission to the Government's request for detention.  
13 B. ☒ As to danger: The nature of the charged offense and his criminal history.  
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15 **VI.**

- 16 A. ☐ The Court finds that a serious risk exists the defendant will:

- 17 1. ☐ obstruct or attempt to obstruct justice.  
18 2. ☐ attempt to/ ☐ threaten, injure or intimidate a witness or juror.

- 19 B. The Court bases the foregoing finding(s) on the following:  
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24 **VI.**

- 25 A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.

- 26 B. IT IS FURTHER ORDERED that the defendant be committed to the custody of  
27 the Attorney General for confinement in a corrections facility separate, to the  
28 extent practicable, from persons awaiting or serving sentences or being held in

1 custody pending appeal.

2 C. IT IS FURTHER ORDERED that the defendant be afforded reasonable  
3 opportunity for private consultation with counsel.

4 D. IT IS FURTHER ORDERED that, on order of a Court of the United States or on  
5 request of any attorney for the Government, the person in charge of the  
6 corrections facility in which defendant is confined deliver the defendant to a  
7 United States marshal for the purpose of an appearance in connection with a  
8 court proceeding.

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10 Dated: August 3, 2011

11 /s/ Arthur Nakazato  
12 ARTHUR NAKAZATO  
13 UNITED STATES MAGISTRATE JUDGE  
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